DOCUMENT RESUME

ED 300 018 IR 052 515

AUTHOR Marek, Kate
TITLE Schoolbook Censorship USA.
PUB DATE Jun 87
NOTE 16p.
PUB TYPE Viewpoints (120) -- Reports - Descriptive (141)

EDRS PRICE MF01/PC01 Plus Postage.
DESCRIPTORS *Academic Freedom; Boards of Education; *Censorship; *Court Litigation; Elementary Secondary Education; Intellectual Freedom; *Public Schools; *School Libraries; *Textbooks
IDENTIFIERS *First Amendment

ABSTRACT

This paper examines the censorship of school library books and school textbooks in American public schools, with particular emphasis on recent court cases. The 1982 Supreme Court case, Island Trees Union Free School District versus Pico, is examined in detail, and it is argued that Justice Brennan established precedent for a "right to read" on the part of school students. Several textbooks that purportedly teach "secular humanism" are described. Finally, the anti-censorship efforts of the American Library Association and the National Council of Teachers of English are described. (EW)

****
* Reproductions supplied by EDRS are the best that can be made *
* from the original document. *
****

U.S. DEPARTMENT OF EDUCATION
Office of Educational Research and Improvement
EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)

X This document has been reproduced as received from the person or organization originating it.

☐ Minor changes have been made to improve reproduction quality.

• Points of view or opinions stated in this document do not necessarily represent official OERI position or policy.

ED300018

SCHOOLBOOK CENSORSHIP USA

The First Amendment to the Constitution of the United States guarantees each citizen freedom of speech; hence the "right to read." Yet, this right has continually been challenged in the public schools. Case history and established publications provide the basis for resistence to efforts of censorship.

IR052515

"PERMISSION TO REPRODUCE THIS MATERIAL HAS BEEN GRANTED BY

Kate Marek

TO THE EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)."

OUTLINE

I. INTRODUCTION

II. SAMPLE CENSORSHIP LITIGATION

- A. SCHOOL LIBRARIES
- B. TEXTBOOKS AND CURRICULUM ISSUES

III. THE CENSORS

IV. ASSOCIATION RESPONSES

V. CONCLUSION

Appendix

- The Library Bill of Rights
- The Freedom to Read
- The Students' Right to Read

Bibliography

"We hold that school boards may not remove books from school library shelves simply because they dislike the ideas contained in those books and seek by their removal to prescribe what shall be orthodox in politics, nationalism, or other matters of opinion."

-- William Brennan,
Supreme Court Justice
From Island Trees v. Pico

SCHOOLBOOK CENSORSHIP USA

Among the most basic and important rights of the individual inherent to human dignity is the right to read, and to read what one pleases. Yet, censorship in the public schools is as old as the school system itself. America is a pluralistic society, by nature diverse in opinions. What material is suitable for school children is an emotionally charged issue. The volatile nature of the issue combined with the diversity of opinions on what is acceptable or objectionable results in understandable controversy.

Objections to books in schools have, in our country's history, fallen into two categories: school library books and school textbooks. Parents, individual activists, and various groups have been active in objecting to items found in the schools. Traditionally, the objections to titles found in school libraries have been made on the basis of "obscenity", such as bad language or graphic sex and violence. But it is important to study the items questioned; closer inspection shows the overall pattern in titles removed from school shelves is that the ideas presented are the stumbling blocks. A recent study of censored titles was published in Playboy magazine. Included in the 30 titles most often removed from school library shelves are The Adventures of Huckleberry Finn, Brave New World, To

Kill a Mockingbird, The Lottery, The Scarlet Letter, Johnny Got His Gun, Anne Frank's diary, Go Ask Alice, and The Grapes of Wrath. Each of these titles illustrates the point that the book in question contains challenging ideas rather than offensive language or situations.

This compulsion by some to censor information in our schools is in direct contradiction to the First Amendment to the Constitution of the United States. In the First Amendment, all are guaranteed the right of freedom of speech and freedom of the press. This implicitly guarantees students access to information and knowledge; thus the terms "academic freedom" and "intellectual freedom." So, students, teachers and parents have challenged the efforts to censor information citing these rights of access. Associations such as the American Library Association and the National Council of Teachers of English have been helpful in supporting individuals who have fought to maintain academic freedom.

Island Trees v. Pico

The most significant litigation to date dealing with schoolbook censorship is the case of Island Trees Union Free School District No. 26 et al. v. Steven A. Pico et al. (1982). "The case began on the night of November 7, 1975, when two members of the school board slipped out of a school sports festival and persuaded the night janitor to admit them to the high school library." (The First Freedom Today, p. 72). The board members then proceeded to remove nine books from the library, and later voted to remove these nine and two more. The banned books were: Anonymous, Go Ask Alice; Archer, ed., A Reader

for Writers; Childress, A Hero Ain't Nothin' but a Sandwich; Cleaver, Soul on Ice; Hughes, ed., Best Short Stories by Negro Writers; La Farge, Laughing Boy; Malamud, The Fixer; Morris, The Naked Ape; Thomas, Down These Mean Streets; Vonnegut, Slaughterhouse Five; and Wright, Black Boy. (The First Freedom Today, p. 72). The community was thrown into turmoil; in January Steven Pico and four classmates filed suit against the school district. Pico claimed his First Amendment rights had been violated and the school board claimed it had a right to control the education of the students. The case made its way through the courts but was never actually decided in either side's favor. The Supreme Court took the case on appeal of the District Court's order that it be brought to trial. Instead of making a clear cut decision, the Supreme Court remanded the case to the District Court, upholding the order that it be tried. Subsequently, the board reinstated the books without the trial and the case was dropped.

The ambiguity of the outcome of this case was disappointing to both sides. However, in the 5-4 decision to return the case for trial, the Supreme Court did outline some large issues and set a major precident for future school censorship cases. "By a 5-4 decision, the Court declared that while school boards can remove books from school libraries for vulgarity or educational unsuitability, 'our Constitution does not permit the official suppression of ideas.'" (Censorship, Libraries, and the Law, p. vii.) The defenders of First Amendment rights to retain books on school library shelves, as a result of the Pico decision, need to prove that the books were removed on the basis of objectional social or political ideas or values. School boards retain the right to remove books on the basis of

educational unsuitability.

Two gaps were left in the decision written by Justice Brennan. First, "pre-selection" censorship was not addressed. Individuals in charge of ordering books for the school libraries might well leave gaps in the collection, avoiding for example controversial authors such as Judy Blume or controversial issues such as abortion. The second gap left in the case was censorship in curriculum. Justice Brennan did not address the issue of school boards' rights to omit or add curriculum issues.

Despite these gaps, however, Justice Brennan established the major Supreme Court precident for the "right to read." The famous Tinker v. Des Moines School District case (393 U.S. 503, 1969) had given students the right to express ideas (specifically by wearing black armbands in protest of the Vietnam War), but neither that case nor the wording in the First Amendment aludes to the "right to read." That phrase was coined by a Federal District Judge in Boston, Joseph Tauro. An anthology of poetry (Male and Female Under 18) had been challenged at Chelsea High School and had been removed from the library shelves. Judge Tauro presided over the subsequent 1978 case, Right to Read Defense Committee v. School Committee, etc, 454 F.Supp. 703, (1978).

In his decision, Judge Tauro described the school library as a place set apart from the curriculum, where the student could explore and discover. "That student [using the library] learns that a library is a place to test or expand upon ideas presented to him, in or out of the classroom. ... What is at stake here is the right to read and be exposed to controversial thoughts and language -- a valuable right

subject to First Amendment protection." (Censorship, Libraries and the Law, p. v.)

Justice Brennan affirmed this right to receive information in the Island Trees v. Pico decision. Justice Brennan writes: ". . . The right to receive ideas follows ineluctably from the sender's First Amendment right to send them . . . . More importantly, the right to receive ideas is a necessary predicate to the recipient's meaningful exercise of his own rights of speech, press, and political freedom." (Island Trees v. Pico)

School library books will continue to be questioned, but the Supreme Court precident provides recourse for supporters of the right to read. Another area of danger, though, is the above stated right to receive ideas. Textbook censorship is an infringement on this right and is also dangerous to the realm of academic freedom.

Kanawha County

The textbook battle in Kanawha County, West Virginia, in 1974, is an example of the political and social climate surrounding this issue today. "The long-drawn-out battle there was precipitated by a number of school board members, egged on frequently by outside agencies. As the controversy went on, groups of citizens were drawn in, leaving the community deeply divided." (The First Freedom Today, p. 71) The board had approved a preliminary list of textbooks and supplementary reading for the school's English courses. A member of the school board then consulted the Educational Research Analysts, run by Mel and Norma Gabler, for their approval of the books. The Gablers responded that most of the books on the list of "325 titles for the language arts

were disrespectful of authority and religion, destructive of social and cultural values, obscene, pornographic, unpatriotic, or in violation of individual and familial rights of privacy." (The First Freedom Today, p. 71)

This case was never litigated; the board eventually replaced the books in question, adding some caveats to parents for selected titles. However, the community had been deeply divided.

Loewen v. Turnipseed, 488 F. Supp. 1138 (N.D. Miss. 1980)

In this case, a ninth-grade history textbook was turned down by the textbook selection committee. Loewen charged that the book that was chosen instead perpetuated black stereotypes and ignored the achievements of successful Mississippi blacks. The District Court upheld Loewen's complaint, declaring the rejection of the textbook on the basis of controversial material a violation of freedom of speech and the press.

Zykan v. Warsaw (Indiana) School Board, 631 F.2d 1300 (7th Cir. 1980)

The issue in Zykan v. Warsaw was the removal of courses and books from the school curriculum. Also at issue were the dismissal of several teachers and the discontinuance of the school newspaper. The student Zykan brought suit against the school for violating his academic freedom and "right to know." Although the U. S. Court of Appeals for the Seventh Circuit ruled in favor of the school board, the Court did warn against a school board's imposition of a "pall of orthodoxy" on the classroom. (Censorship Litigation and the Schools, p. 151)

Classroom Censorship

What these three cases demonstrate is the growing trend in textbook publishing and curriculum modification to inhibit the right to receive ideas. The example of Mel and Norma Gabler's participation in the Kanawha County situation is noteworthy. The Gablers' organization has as its agenda the removal of "secular humanism" from the United States public schools. The concept of secular humanism is ambiguious to political moderates but very clear to far-righters; to the conservatives, secular humanism is the whole range of "what's wrong" with our society. Humanists are more concerned with humanity, or mankind, than with God, and the term secular applies to all things not dealing with God. Secular humanism, then, is an attitude in society that focuses on self rather than on God.

The Gablers and those who agree with them see far-reaching implications of this attitude. Rev. Tim LaHaye, a founder of the Moral Majority, charges that secular humanists "have invaded public classrooms, brainwashing children with ideas about evolution, sex, death, socialism, internationalism, and situation ethics. [Schools are] training [children] to be anti-God, anti-moral, anti-family, anti-free enterprise, and anti-American." (Jenkinson, p. 29) Clearly, those on the political far right are unhappy with the situation in American public schools.

The Censors

Is it the far right, then, that typically objects to material in school textbooks and school libraries? Frequently it is the case.

However, censorship has originated from the far left as well. Often militant feminists oppose outdated stereotypes or role models such as those portrayed in the Little House series of children's books by Laura Ingalls Wilder. Other examples of complaints from the left include objections to the character of Jim in Huckleberry Finn or the Little Black Sambo character of the traditional folk tale. Obviously, neither side has a right to obscure traditional, historical literature.

Basically, though, censors fall into three categories.

1) Parents who hear about or see material that troubles them frequently react emotionally. In many of these cases, a conversation with the teacher or librarian involved can help explain or justify the use of the material.
2) Frequently, community members or parents will react to a book without actually having read or seen it. Often, these persons will not even be sure of the exact title of the book to which they are objecting. Once a complaint of this type has been expressed, a school board will often respond and remove the book in question.
3) Many people are motivated by a local, state, or national organization such as the Gablers'. These organizations frequently have specific lists of objectionable titles or topics; the groups can be highly vocal and highly critical. (Jenkinson, p. 27)

Censors from the far right have explicit objections to material contained in school textbooks and library books. The Gablers publish a three-page outline describing problems in school materials.

Following are some of the things the Gablers oppose: literary works in which children question the decisions or wisdom of their elders; "questionable" language; characters who speak non-standard English; Black literature; mythology; ethnic studies; values clarification; critical thinking skills; science fiction; and books by "questionable" writers.

In short, the Gablers and their supporters would not have students learn to think for themselves. They oppose critical thinking and values clarification. Not only does this attitude violate the First Amendment right to information, it endangers the very structure of our society. As John Dewey, American educator and philosopher, stated, ". . . the basic freedom is that of freedom of mind and of whatever degree of freedom of action and experience is necessary to produce freedom of intelligence. . . . Where there is little power, there is correspondingly little sense of positive responsibility." (Dewey, p. 350-351) Ironically, John Dewey was writing this to defend academic freedom and rights of particiapation for educators. What he said can be as forcefully applied to the students' right of academic freedom, for without responsibility and participation of the emerging generation, democrary will not survive.

American Library Association; National Council of Teachers of English

In the face of book banning attempts, librarians, teachers and administrators need organized efforts of assistance. Two groups have been especially helpful with legal advice and with formal, written responses to the threat of censorship in the schools. The Intellectual Freedom Manual is published by the American Library

Association. This manual contains discussions on past efforts of censorship and their outcomes, with suggested responses of the librarian for similar protests. Statements of the "Library Bill of Rights" and "The Freedom to Read" are included, as well as steps to take before material is challenged, and what one's legislators can do to help when an objection is raised. The National Council of Teachers of English have published "The Student's Right to Read," which outlines First Amendment justifications to academic freedom. (See Appendix.)

One warning seems to stand out from the sources: each school should have a written selection policy and a written grievance policy. With these documents a structure should be allowed for fairness in selection and objections to material ("due process") so that the values or ideologies of any one group does not inhibit the right of the individual to freedom of access to information.

Conclusion

In the haunting climax of Dalton Trumbo's Johnny Got His Gun, the wounded soldier Joe has found a way out of his bodily prison of silence. He has discovered a way to communicate with his caretakers. Tap, tap, tap, he tries to use Morse Code to talk, beating his head against the pillow to spell words. Tap, tap, tap, he tries to convey his message of warning, a philosophy from one not alive and not dead, about the futility of war. He can help the world avoid any more such agonies in the future if only they will listen to him. The nurse understands his efforts and brings in one who knows the code.

The response: "What you're asking is against regulations."

The world does not want to hear his message; he is being censored.

Censorship is certainly a "clear and present danger" to our society. The founding fathers knew the potential harm that can occur when a government or an individual group tries to stop the dissemination of thought.

In the story, Joe overcomes tremendous odds to proclaim his message of peace and healing, only to be censored by those he hopes to save. What a metaphor for our American society! We as a nation struggled for the liberty of proclamation. We must never censor one another. Rather, we must stand strong in defense of the "First Freedom," the freedom of the First Amdendment.

REFERENCES

1. "The Dirty Thirty," Playboy 31:262 (January 1984).
2. The First Freedom Today: Critical Issues Relating to Censorship and Intellectual Freedom. (Chicago: American Library Assn., 1984).
3. Ibid., p.72.
4. Jaig A. Bosmajian, Censorship, Libraries and the Law (New York: Neal-Schuman, 1983).
5. Ibid., p. v.
6. Island Trees Union Free School District No. 26 et. al. v. Steven A. Pico, et. al. 457 U.S. 853 (1982).
7. The First Freedom Today, p.71.
8. Ibid.
9. Censorship, Litigation and the Schools (Chicago: American Library Assn., 1983).
10. Edward B. Jenkinson, "Protecting Holden Caulfield and His Friends from the Censors," English Journal 74:26-33 (January 1985).
11. Ibid., p.27.
12. Ibid., p.28-29.
13. John Dewey, "Democracy," in Readings in Philosophy (New York: Barnes and Noble, Inc., 1950), p.347-352.